

FILED BY [initials]

05 APR -4 AM 11:30

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

ROBERT R. DI TROLIO
UNITED STATES OF AMERICA,
W.D. OF TN, MEMPHIS

Plaintiff,

JOHNATHAN CARR

Defendant.

No. 03-20183-D

AFTER HOURS DEPOSIT
Robert R. Di Trollo, Clerk
U. S. DIST COURT
W. D. OF TN, MEMPHIS

MOTION TO CONTINUE SENTENCING HEARING

COMES NOW the United States of America, by and through Terrell L. Harris, United States Attorney and Leonard E. Lucas III, Assistant United States Attorney for the Western District of Tennessee, and respectfully moves the Court for an Order Continuing the Sentencing Hearing in this cause, and in support of which would show the following to the Court:

1. The Sentencing is currently set for April 5, 2005 at 2:00 P.M.;
2. The United States respectfully requests that this hearing be continued. Counsel for the United States will be out of the office from April 1, 2005 to April 4, 2005. Upon, recently receiving and reviewing, the defendant's Position regarding Sentencing, the United States has determined that law enforcement and lay witnesses are required to testify at this hearing regarding defendant's conduct and role. Some of these individuals may be coming from the surrounding counties and Arkansas.

This document entered on the docket sheet in compliance
with Rule 55 and/or 32(b) FRCP on 4-4-05

MOTION GRANTEDDATE: April 1, 2005

Bernice Bouie Donald
BERNICE BOUIE DONALD
U.S. DISTRICT JUDGE

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3. Assistant United States Attorney contacted Defense Counsel, April Goode, regarding this matter and Defense counsel did not object to a continuance. This is the United States first request for a continuance.

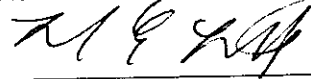
4. The United States would request a seven day continuance in order to have witnesses subpoenaed and to insure that witnesses who may be coming from the surrounding counties and Arkansas have ample time to make arrangements in order to be present to testify.

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully moves the Court for a continuance of the sentencing hearing in this cause.

Respectfully submitted,

TERRELL L. HARRIS
UNITED STATES ATTORNEY


By:


Leonard E. Lucas III
Assistant United States Attorney
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Memphis, Tennessee 38103
(901) 544-4231
(Tennessee No. 20184)

CERTIFICATE OF SERVICE

I, Leonard E. Lucas III, Assistant United States Attorney for the Western District of Tennessee, hereby certify that a copy of the foregoing Response of the United States has been mailed, first class postage pre-paid, to April Goode, Attorney at Law, 200 Jefferson Avenue, Memphis, TN 38103.

This 1 day of April, 2005.



LEONARD E. LUCAS III
Assistant United States Attorney



Notice of Distribution

This notice confirms a copy of the document docketed as number 134 in case 2:04-CR-20183 was distributed by fax, mail, or direct printing on April 4, 2005 to the parties listed.

April Rose Goode
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200 Jefferson Ave.
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Honorable Bernice Donald
US DISTRICT COURT